

#### IV. REMARKS

The Examiner is thanked for extending the courtesy of telephone interviews on March 21 and March 28, 2005. During these interviews it was agreed that the finality of the last office action is improper.

In particular, a new reference (McManis '239) was cited. However, the only claim amendments made in the last response were editorial in nature, e.g., deleting reference numbers and replacing "characterized in that" with "wherein", in order to better conform to US practice. These are not such changes as justify a final rejection.

In any event, McManis '239 discloses an ANProgram (Architecture neutral program) compiler and compilation method that enables the user of an ASProgram compiled from a corresponding ANProgram to authenticate the identify of who compiled the ANProgram, the identity of the corresponding ANProgram, and the ASLanguage in which the ASProgram was compiled.

The Examiner states that McManis '239 describes in column 2, line 54, - column 3, line 34, a method where a calling program module verifies the digital signature. In those lines is described a method where the verifier verifies the non-verified program code in the object class. However, there is no indication of the use of first tags and second tags and using both of those tags to select the module to be bound as claimed in claims 1 and 7. Also, it doesn't contain a teaching where the first tags and second tags are sent in a same call as is also claimed in claims 1 and 7. These features make it possible to make a system where there are several modules with the same method prototypes, but different second tags (which can be, for example, a digital

signature). In other words, this allows for a system where there are several modules with same functionality and the program can select the one it trusts.

McManis '914 discloses a method for verifying the authenticity of program modules before dynamically linking them to a calling program module. The first program module comprises procedure calls to both the verifier and a second program module which is to be authenticated. The second program module to be authenticated comprises a digital signature, which is verified by the verifier upon executing said procedure call. The verification is performed at execution of the calling program, before any instructions of the called program are performed. To perform the verification the first (calling) program module makes a procedure call to the verifier, which then verifies the digital signature of the second (called) program module by using the public key provided by the first program module. The verifier returns the result of the verification. If the digital signature is correct, the first program module makes a procedure call to the second program module. The purpose of the verification is to prevent the loading of a modified program module. The verification is not performed before the program module is loaded into the device. The method needs a separate verifier to be implemented in the calling program. The verification is valid for the calling program module only.

McManis '914 only deals with a situation in which one program module is to be loaded and verified. It does not mention anything about multiple program modules having the same name and the same parameters as recited in claims 1 and 7. In fact, McManis '914 does not permit simultaneously using two or more program modules

with the same name and the same parameters. This is evident from the description and Figs. 3A and 3B.

Thus the rejection of claims 1-5 and 7-9 under 35 USC 102 on McManis '914, should be withdrawn.

Further, since there is no suggestion in McManis '914 of these features, these claims are unobvious over it.

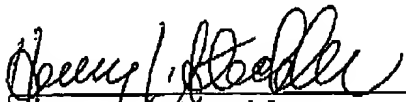
Puhl discloses a wireless electronic commerce system coupled with wireless gateway delivering software and digital certificates to the wireless devices. There is no disclosure of the above discussed features. Thus combining Puhl with McManis '914 does not result in the present invention.

Hence the rejection of claims 6 and 10 under 35 USC 103 on this reference combination should be withdrawn.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



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